

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF PENNSYLVANIA

ANDREW M. GABRIEL

*on behalf of himself and all others
similarly situated,*

Plaintiff,

v.

**GIANT EAGLE, INC.,
MARCKISOTTO MARKETS INC.**
doing business as
"EDGEWOOD GIANT EAGLE" or
doing business as
"GIANT EAGLE" or
doing business as
"GIANT EAGLE PHARMACY #24",
**SHAKESPEARE STREET ASSOCIATES
GP LLC, doing business as**
"GIANT EAGLE" or
doing business as
"SHAKESPEARE GIANT EAGLE" or
doing business as
"GIANT EAGLE PHARMACY #17" and
CVS PHARMACY, INC.,
doing business as "CVS" or
doing business as
"CVS STORE #4091"

Defendants.

Civil Action No. 14-0980

Chief United States District Judge
Joy Flowers Conti

United States Magistrate Judge
Cynthia Reed Eddy

ORDER

AND NOW, this 11th day of December, 2014, it is hereby **ORDERED, ADJUDGED**
AND DECREED that for the reasons set forth in the accompanying memorandum opinion,
plaintiff's motion to remand to state court (ECF No. 3) is **DENIED**, and his objections to the
report and recommendation (ECF No. 25) are **OVERRULED**.

It is further **ORDERED** that the report and recommendation (ECF No. 24), as supplemented by the accompanying memorandum opinion, is **ADOPTED** as the opinion of the court.

It is further **ORDERED** that the matter is remanded back to the magistrate judge for all further pretrial proceedings.

BY THE COURT:

Dated: December 12, 2014

/s/ Joy Flowers Conti
Joy Flowers Conti
Chief, United States District Judge

cc: all counsel of record via CM-ECF